

EXHIBIT G



Feb 6 2009
6:17PM

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In Re: Methyl Tertiary Butyl Ether ("MtBE")
Products Liability Litigation

MDL No. 1358
Master File C.A. No.
1:00-1898 (SAS)

This document relates to the following cases:

City of New York v. Amerada Hess Corp., et al.
04 Civ. 3417

EXPERT SITE SPECIFIC REPORT OF MARCEL MOREAU

Marcel Moreau Associates
73 Bell Street
Portland, ME 04103

Marcel Moreau

Signature

February 6, 2009

Date

Initials: CMF/MM

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118-02 Queens Blvd, Forest Hills			
Chevron #121096			
<p>Summary: Property owned by McMahon's. Gulf initial lease expired in 1973, but was extended to 1988. Lease assumed by Chevron in 1986, who began leasing to Cumberland Farms. <u>Twelve tanks tested in Feb 1986 and all failed.</u> Tanks were repaired and all passed tank test in March 1986. Heating and used oil tanks failed tank testing in June 1986. Soil borings in 1987 found BTEX in soil. In 1989, Kew succeeded the McMahon's as landlord of the property, and notified Cumberland and Chevron to remove USTs by end of lease (Oct 31, 1993). Cumberland/Chevron surrendered property to Kew Point in Dec 1993, at which time Cumberland removed 12 USTs from property. Another report states that 14 USTs, 3 lifts, and an O/W separator were removed in Oct 1993. Evidence of soil contamination was found in 1994 investigation (with DEC oversight), and subsequent GW testing revealed GW contamination, with MtBE in MW at 38,000 ppb. Kew alleged in 1996 Complaint that Chevron did not clean up site to satisfaction of DEC.</p> <p>NOTE: Spill 93-08567. Many docs removed as Privileged Information. No remediation reports, and no DEC closure letter.</p>			
Adobe Page #	Bates CHNY000	Date	Notes
1	2732	9/1994	Docs removed as PRIVILEGED
7	2860	5/1994	RE: Legal claims by Cumberland Farms - \$500 to 600K, including Settlement Agreement.
8	2740 - 2747	8/9/1996	Complaint filed by Kew Point Assoc against Chevron (2740 - 2747). Under Factual Allegations, stated that Cumberland and Chevron surrender property to Kew Point in Dec 1993. At this time, Cumberland removed 12 USTs from property, and found evidence of soil contamination. Subsequent GW testing revealed GW contamination, and Kew states that Chevron did not clean up the site to the satisfaction of DEC (Item 12).
30	2728 -		Claim Background and Review, with chronology. 2/12/1986: Twelve 550-gal USTs tested; all failed. 3/6/1986: Tanks repaired and all passed tightness test. 6/4/1986: Used oil and fuel oil tanks failed tank test. 3/1987: BTEX detected in soil from 5 borings.
34	2786	Dec 1994	Misc.

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658	13427	3/7/2003	Design Report for Permanent Remediation Systems (Roux)
765	13534	10/14/2002	Final Corrective Action Plan (Roux)
1077	13846	June 1996	Closure Report for the Excavation of One 1,000 Gallon UST (Tyree) - Removed 195 gal of off-spec petroleum combustible liquid from double-walled tank. - Appeared to be "relatively new and did not have apparent deterioration". Photos included in app. - Visible evidence of soil contamination - Spill reported and assigned existing Spill No 93-12565 . - Soil excavated but VOCs and SVOCs in excess of Guidance Values remained – no MtBE results, and no record of how much soil removed.
1115	13884	2002 - 2004	Waste disposal records for purge water, oil/water separator rinseate, soil/ (2,000 lbs), solids (600 + 300 gal), soil (20 +20 + 20 yds – multiple copies for multiple shipments), gasoline mixture from USTs (7,000 gal – multiple shipments in Dec 2002 and Jan 2003)
1255	14025	2002	Permit Information and Insurance Related Info - Sewer discharge of effluent from rem system - Includes 3/27/2003 ltr with DEC comments to ExxonMobil on Design Report for Permanent Rem System (p. 14149) - Street opening permits
1456	14225	2001 - 2002	Order on Consent, Case No. 2-156957 dated 10/10/2002 Access Agreements
1578	14347	2001	DEC comment ltr re investigation
1584	14353	10/17/2001	## NYS PBS Inspection Report - five 4,000-gal installed 7/1987 - one 1,000-gal installed 1/1990? - unreported spill observed on 1K tank; tank doesn't meet standards - tightness testing NOT conducted on any USTs
1586	14355	10/16/2001	## Priority Alarm History printout
1591	14360	Various	Duplicate spill reports.
1596	14365	2001	Corres. with NYSDEC re Birch School inv.
1610	14379	Oct 2001	Dup of PBS Insp. Rpt and ## Notice of Violation - Tank 108 – unreported spill; "accumulation of oily liquid material in the top sump and/or fill port catch basin".
1617	14386	11/2/2001	Waste disposal – drill cuttings (6, 55-gal drums)
1621	14390	2001	Scope of Work and Access Agreements – Birch

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205-33 Hollis Ave, Hollis			
BP Amoco #545			
(Also listed with an address of 9 Hollis Ave)			
<p>Summary: Records show that five steel 4,000-gal USTs were installed at this location in May 1989. A Notice of Violation was issued in 1992 following a failed site inspection – primarily related to unregistered tanks and lack of LD documentation. In 1992, the results of a soil gas survey suggested that the area between the northern border and the tank mat had high levels of contamination.</p> <p>The facility has a history of failed tank tests. In January 2003, two out of five 4,000-gal USTs failed a tank test. The results were reported to DEC and Spill No. 02-10942 was assigned. In Feb, one tank of these tanks was uncovered and a defective vent line and plastic bushing were found and replaced. The tanks were retested and both passed a tightness test. Impacted soil was excavated and post-removal soil samples analyzed for BTEX and MtBE were below Soil Cleanup Objective. A total of 5.82 tons of petroleum-impacted soil were removed for disposal. Closure of the spill no. was requested at that time on the basis of the cleanup.</p> <p><i>Monthly Statistical Inventory Reconciliation Reports</i> for Oct 2003 to April 2004 indicated losses from one or more USTs. And in 2006, testing by Crompco listed two tanks as having failed the test.</p> <p>Notes: Spill No. 02-10942</p>			
Adobe Page #	Bates # BPII 00036	Date	Notes
CD16, ALL			
1	0005	4/18/2003	<p>Ltr to DEC requesting closure of Spill No. 02-10942.</p> <ul style="list-style-type: none"> • Five 4,000-gal USTs tested in Jan 2003. Two premium tanks failed test. • Results reported to DEC and Spill No. 02-10942 was assigned. • In Feb, one tank was uncovered and a defective vent line and plastic bushing were found and replaced. • The tanks were retested and both passed tightness test. • Impacted soil was excavated and post-removal soil samples analyzed for BTEX and MtBE were below Soil Cleanup Objective. • 5.82 tons of petroleum impacted soil were removed for disposal.